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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,083	11/07/2001	Vijay K. Basra	06837-119001 /Q01-1058-US	5472
7590	07/13/2005		EXAMINER	
Robert A. Saltzberg Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482			WONG, KIN C	
			ART UNIT	PAPER NUMBER
			2651	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/037,083	Applicant(s) BASRA ET AL	
	Examiner K. Wong	Art Unit 2651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-29 is/are pending in the application.
- 4a) Of the above claim(s) 1-15 and 30-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-21 is/are rejected.
- 7) ☒ Claim(s) 22-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/10/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This is a response to correspondence filed on 4/20/05.

Applicant's election without traverse of claims (16-29) in the reply filed on 4/20/05 is acknowledged.

Claims (1-15 and 30-40) are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/20/05.

Claim Objections

Claim 25 is objected under 37 CFR 1.75 (a) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 25 is depended on claim 16 which the dependence seems missing an element or interrelating link between the alignment target and the grooves. The examiner has interpreted that the claim 25 linked with claim 22 because the relationship between the alignment target and the grooves.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims (16-29) are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai (JP 63-173210 A).

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Regarding claim 16: Kawai discloses a recording head in read/write assembly of a magnetic recording tape system which a plurality of recording channels fabricated on a wafer (depicted in figures 1, 3, 5 and 6 of Kawai) and an alignment target affixed (element 7 in figure 1) to the wafer between the recording channels that produce an optical reflectance signal for head alignments.

Although Kawai discloses the alignment target with the recording channels, Kawai is silent on the capability of the alignment target with the first read-write element of the recording channel and the second read-write element of the recording channel. It would have been obvious to the artisan in the art at the time of the invention was made to the alignment target in between the first and the second recording channels. The rationale is as follows: the artisan in the art would have been motivated to provide a customized alignment target in between the first and the second recording channels.

Moreover, the customization of the alignment target to a desired location without any unexpected results that seem to be occurring is merely a routine engineering endeavor. See *In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950) and *In re Kuhle*, 526 F.2d 553, 188 USPQ 7 (CCPA 1975).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai (JP 63-173210 A) in view of Hollen et al (5708633).

Regarding claim 17: the reason for Kawai is stated in above rejection. Kawai is silent on ultraviolet (UV) adhesive for affixing the alignment target to the wafer. Hollen et al is relied on for the teaching of UV adhesive for affixing the alignment target (see col. 35, lines 33-65 of Hollen et al).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the affixation of alignment target to the wafer of Kawai with an UV adhesive as taught by Hollen et al. The rationale is as follows: one ordinary skill in the art would have been motivated to provide an ease of fabrication of the recording channel (head).

Claims (18-21) are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai (JP 63-173210 A) in view of Hugnen et al (6759081).

Regarding claims 18-21: Kawai is silent on the composition of the head (or the wafer) and the alignment target. Hugnen et al is relied on for the teaching of the head (wafer) composition (see col. 1, lines 19-33 of Hugnen et al). It would have been obvious to artisan in the art at the time of the invention was made to include the composition components as taught by Hugnen et al. the rationale is as follows: artisan in the art would have been motivated to provide an insulate substrate as suggested in col. 4 , lines 40-63 of Hugnen et al. In additionally, the obviousness for the alignment target made from the material is obviously known in the references because the silicon is a base element (glasslike) for making reflective surfaces.

Allowable Subject Matter

Claims (22-29) are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Aboaf et al (5530608), Jiang et al (6778358), Biskeborn et al

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(6646830) and Sahbari et al (6531436) are cited for head fabrication. Yamauchi (55-032273) and Oji et al (5718036) are cited alignment targeting of the head.

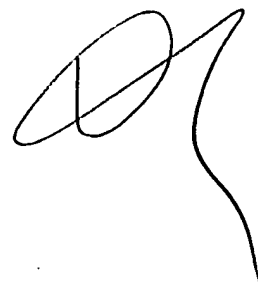
Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Wong whose telephone number is (571) 272-7566.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kw

10 Jul 05

A handwritten signature in black ink, consisting of a stylized, cursive letter 'K' followed by a long, sweeping vertical stroke.